

RESPONSE AND REMARKS

The present Office Action issued subsequent to a Notice of Panel Decision withdrawing a previous Final rejection, dated December 7, 2005, and re-opening prosecution.

Further to reasons set forth in Applicants' Pre-Appeal Request for Review for the above-identified application filed March 7, 2006, and in the Response After Final filed September 26, 2006, the present Office Action indicates acknowledgment (in Office Action Topic No. 18, p. 6) that the previously-cited reference, Robbins (Published U.S. Patent Application, Publication No. US 2005/0246359; "Robbins"), is not a proper prior art reference.

Even so, the present Office Action relies on the Robbins reference for its rejections of Claims 1-4 and Claim 6. Specifically, the present Office Action rejects Claims 1, 3, 4 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Nicholls et al. (U.S. Patent No. 5,631,827; "Nicholls") in view of Robbins (Published U.S. Patent Application, Publication No. US 2005/0246359; "Robbins"). The present Office Action also relies on the Robbins reference in rejecting Claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Nicholls and Robbins as applied to Claim 1, and further in view of Kara et al. (U.S. Patent No. 6,233,568; "Kara"), and Thiel (U.S. Patent No. 5,699,258; "Thiel").

The present Office Action indicates (in Office Action Topic No. 18, p. 6) that the previous error of citing the Robbins reference has been corrected. In rejecting Claim 10, the Office Action now cites Byford (U.S. Patent No. 6,220,509 "Byford").

Even though the Office Action now cites Byford in the rejection of Claim 10, because the above-identified rejections of Claims 1-4 and Claim 6 all rely on the Robbins reference, it is respectfully submitted that reliance on the Robbins reference has not been completely corrected. Therefore, because the above-identified rejections of Claims 1-4 and Claim 6 all rely on the Robbins reference, it is respectfully requested that the Final Office Action, dated October 20, 2006, be withdrawn.

Yet further, for the reasons given in the Pre-Appeal Brief Request for Review, it is respectfully asserted that the cited references, even when combined, do not disclose, anticipate, teach or suggest each of the limitations of each of the rejected Claims.

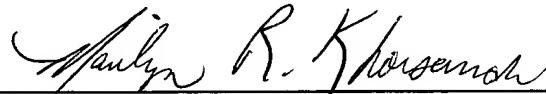
CONCLUSION

For the above-given and above-referenced reasons, it is respectfully requested that the Final Office Action, dated October 20, 2006, be withdrawn; and it is respectfully submitted that the invention disclosed and claimed in the present application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

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